

REMARKS

The purpose of this amendment is to correct a typographical error in claim 74, proviso (bb), which recited "X19 is Pro", X9 having been intended. Claim 74 was presented in the December 2007 amendment, which explained at page 10, lines 8-9:

New claim 74 defines conditions (aa)-(dd) which are based solely on the PHBP (20-44) mutants.

The PHBP (20-44) mutants had previously been identified on page 8, lines 4-8 as sequences 593, 595-598 and 601-603, and the "reverse" sequence 599.

It is evident from the table at pp. 8-9 of that amendment that these sequences exhibited Arg, Gln or the pentapeptide PRGQK at X19, but not just the Pro recited by claim 74 (bb). However, for X9, those sequences exhibit either Pro or Ala, but Ala is found at X9 in the prior art reference Pereira. Hence, X9=Pro was clearly the intent of claim 74(bb). Correction of this error puts the claim in better form for consideration on appeal and thus satisfies 37 CFR 41.33(a) and MPEP 1206(I)(C).

Correction is necessary since otherwise the PTO would need to reopen prosecution to consider the overlooked written description issues raised by uncorrected clause (bb) of claim 74, i.e., basis for recitation of "X19 is Pro". The amendment was not earlier presented since Counsel only discovered the error while drafting the Appeal Brief. Hence, the amendment is also proper under 37 CFR 41.33 and MPEP 1206(I)(D).

Respectfully submitted,

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